

**MTC-00020179**

From: Brian Summers  
 To: Microsoft ATR  
 Date: 1/24/02 1:52am  
 Subject: Microsoft Settlement

To whom it may concern,

I am writing in response to the proposed settlement agreement with Microsoft in the Anti-trust lawsuit. I want to express my severe disappointment and outrage with the proposed settlement agreement. This agreement does nothing at all to Microsoft. All it forces them to do is to follow current law as it already is written. It does nothing at all to remove all the power and influence Microsoft has received by exercising its illegal monopoly over the computer OS industry. How can you even start to believe that this settlement is fair for anyone outside of Microsoft? You are basically giving them a slap on the wrist, and saying, "Ok, we caught you. Don't do this again now. You can go back to your business, but play by the rules now." This action is akin to catching a major drug dealing ring, arresting them, and then letting them go, as long as they promise not to deal drugs again. And not only did you let them go, you gave back all the drugs you confiscated when you made the arrest as well as all their drug money. Microsoft has a clear unfair advantage over any other company in the operating system industry. Microsoft already received enough of the fruits of illegally using its monopoly and has been able to grow to what it is now because of this. Something needs to be done in any settlement that DIRECTLY AFFECTS Microsoft's assets and holdings, as well as its power and influence over the OS industry. These aspects of Microsoft grew out of the direct result of them illegally using its power. As such, anything that was gotten illegally should be taken away, or at least an attempt needs to be made to level the playing field in the industry. This settlement falls very short of what needs to be done so.

One of the major flaws in the settlement is that Open Source projects like the Linux Operating System also should have access to the communication and API protocols that Microsoft's OS's use. Linux is currently the MAIN competition that Microsoft is facing in the OS industry. No allowing Microsoft's main competition access to the protocols simply because the system is Open Source makes no sense at all. Linux is the competition and as such needs to have access to the protocols as well.

Direct compensation needs to be made to the consumers of Microsoft products. Prices on their OS licenses have not changed at all. Because there is no competition, there was no reason for Microsoft to give a reasonable price for their product, simply because people had to use it.

The idea of letting Microsoft possibly make compensation by purchasing computers and software for some of the country's poorest school district does nothing but increase Microsoft's hold over the computer industry. If any deal like this is made, Microsoft should be forced to use the full amount of money in any such action to purchase computer hardware only. The cost of the software to Microsoft would be nothing, if Microsoft software was used. Because

Microsoft has the ability to make an infinite number of licenses of their software, the actual cost of that software to them is nothing, and as such does nothing to hurt Microsoft. All this type of deal would do is create another generation of people to later purchase a Microsoft product. Red Hat Linux had an alternate proposal that I and many others feel would be much more effective. Red Hat proposed that Microsoft purchase only hardware, and that Red Hat would provide the software for the computers. Thus allowing many more computers to be given to more schools and also teaching people that there is more than one choice for a computer operating system. In closing, this proposed settlement does NOTHING but allow Microsoft to continue business as usual. We had a better settlement deal BEFORE Microsoft was found GUILTY then we have with this settlement after their guilt was PROVEN in court. This deal is completely one sided and its side most certainly looks like Microsoft to me. What do I as a member of the computer industry get out of this? What does everyone else who simply had to pay outrageous prices for Microsoft products get out of this? What does the computer industry get out of this other than the fact that Microsoft will still be as powerful as ever? How does this do anything to change the way things are? Well, if you ask me the answer to all those questions above is nothing. And that is what this settlement does, it does nothing.

Brian Summers  
 Unix Network and System Administrator  
 Software Developer/Programmer

**MTC-00020180**

From: Michael Newton  
 To: Microsoft ATR  
 Date: 1/24/02 1:52am  
 Subject: Microsoft Settlement

I am of the opinion that Microsoft is actually \*Winning\* this case with the settlement proposed. It is the equivalent of a slapping a murderer on the wrist. And yes, MS is very much a murderer. A suitable punishment would be to force open all of their API's, an API is the code base used to write the uppermost tier of executable programs. The Win32 API, if open, would not only embarrass the company (with their feeble attempts at programming), but will allow any number of windows programs to run on alternative operating systems. There is a project underway to create an API that mimics the win32 API, called WINE, but life would be so much easier if the code-base was already open. Another part of this is the networking/communications APIs. MS Outlook and MS Exchange Server have a closed protocol. Opening this would pave the way for alternative Office platforms, or actually using MS Office on top of another OS (Beos, Linux, Solaris).

Have you ever really read the Microsoft licensing schemes? They had this one scheme that flopped, not too long ago, that had 3 options:

- 1) You don't sign up for anything special. MS then jacks up the costs of individual licenses.
- 2) You pay a yearly fee, and receive MS upgrades and licenses.

3) You pay a significantly reduced amount if you promise to use ONLY MS products.

Everyone and their brother originally bought MS products because they were cheap, and because they managed to worm into the OEM distribution channels. They have become a defacto standard, even though their OS is worth crap. Let us count the number of security issues Windows XX has had in the past 6 months, and the amount of bandwidth that the entire internet lost because of it. If the Gov't doesn't hold MS's hand while doing business, to ensure that it is done fairly, I will have significantly less confidence in every part of this country. I swear... If you actually need something done right, you can't write to anyone any longer because you will be ignored. How many senators check their e-mail anymore? How much thought will you (the reader) actually give this letter, as well as the thousands of other letters you receive just like this one? We actually need computer literate people deciding on this case, and it is apparent that we do not have that. In their stead, we have a pile of lemmings that have been fed MS gestapo propaganda. Yeah, ironically, I send this via Outlook Express, on the only windows machine I own. I have had to patch this machine 20 times a month, compared to the goose-egg off my two Linux machines.

Go figure.

Mike

**MTC-00020181**

From: RHS Linux User  
 To: Microsoft ATR  
 Date: 1/24/02 1:54am  
 Subject: Microsoft Settlement

I am a student at NOVA in Virginia. I feel the proposed settlement in the anti-trust case United States vs. Microsoft is severely lacking in coverage and effective enforcement. I suspect a symptom of Microsoft's tyrannical behavior, and the lack of restraint, is the flare up of Open Source development. Perhaps this public movement could be used to penalize Microsoft and benefit the public at the same time? Regardless, I've seen Microsoft's tactics over the years, and the current settlement does almost nothing to curb their behavior. Microsoft will have completely evaded the minimal restraints and enforcement within five years and have lost none of its power to elbow competition out in the short or long run.

John Jones

**MTC-00020182**

From: Myles F. Barrett  
 To: Microsoft ATR  
 Date: 1/24/02 1:52am  
 Subject: Microsoft Settlement

The proposed Settlement is outrageously deficient. The Microsoft anti-trust offense is on a scale that boggles the mind. It will only worsen as Microsoft adds new technological sectors to its domination. Any sanction that falls short of definitively preventing this stranglehold from growing is a monumental miscarriage of justice. Please make the remedy definitive by breaking up Microsoft into non-colluding units.

Myles Barrett  
 Software Consultant